

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

x

XSUNX, INC.,

:

Plaintiff, : 08 Civ. 2150 (SHS) (FM)

-against- : **ORDER OF REFERENCE**WHARTON CAPITAL PARTNERS, LTD.,  
*ET AL.*, : **TO A MAGISTRATE JUDGE**

Defendants. : x

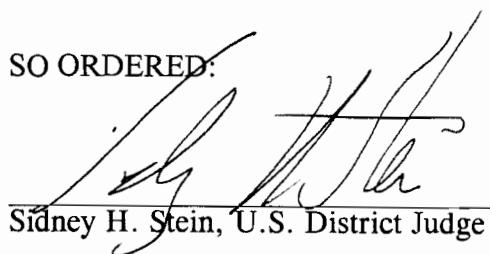
The above entitled action is referred to the designated Magistrate Judge for the following purpose(s):

- General Pretrial (includes scheduling, discovery, non-dispositive pretrial motions, and settlement)
- Consent under 28 U.S.C. §636(c) for all purposes (including trial)
- Specific Non-Dispositive Motion/Dispute:\*
  - If referral is for discovery disputes when the District Judge is unavailable, the time period of the referral: \_\_\_\_\_
  - Consent under 28 U.S.C. §636(c) for limited purpose (e.g., dispositive motion, preliminary injunction)
  - Purpose: \_\_\_\_\_
  - Habeas Corpus
  - Social Security
  - Dispositive Motion (i.e., motion requiring a Report and Recommendation)
  - Particular Motion: Defendants' motion for summary judgment
  - All such motions: \_\_\_\_\_
- Settlement\*
- Inquest After Default/Damages Hearing

Dated: New York, New York  
March 24, 2008

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: 08cv2150  
DATE FILED: 03/24/08

SO ORDERED:

  
\_\_\_\_\_  
Sidney H. Stein, U.S. District Judge

\* Do not check if already referred for general pretrial.